

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Aug 05, 2024**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: David Brian Hill

Case Number: 0980 2:10CR00127-MKD-1

Address of Offender: [REDACTED] Ritzville, Washington 99169

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, Senior U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Mary K. Dimke, U.S. District Judge

Date of Original Sentence: June 14, 2011

Original Offense: Felon in Possession of a Firearm, 18 U.S.C. § 922(g)(1); Possession with Intent to Distribute 50 Grams or More of a Mixture or Substance Containing a Detectable Amount of Methamphetamine, 21 U.S.C. § 841(a)(1) and (b)(1)(B)(viii)

Original Sentence: Prison - 180 months
TSR - 72 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Earl A. Hicks

Date Supervision Commenced: July 1, 2022

Defense Attorney: Nicolas V. Vieth

Date Supervision Expires: June 30, 2028

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 2/2/2024, 5/6/2024, 5/24/2024, 5/31/2024 and 7/19/2024.

On July 5, 2022, a probation officer reviewed the judgment with Mr. Hill. He stated he understood the conditions of his supervision and signed a copy of his judgment.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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Special Condition #17: You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. Hill is alleged to have violated the terms of supervised release by using a controlled substance, methamphetamine, on or about July 18, 2024.

On July 24, 2024, the undersigned received a noncompliant substance abuse treatment report from Mr. Hill's provider which indicated that a urinalysis collected on July 16, 2024, returned confirmed positive for methamphetamine. On July 24, 2024, the undersigned spoke with Mr. Hill's treatment counselor in which he stated Mr. Hill informed him that he recently relapsed on methamphetamine.

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- 12 **Special Condition #17:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. Hill is alleged to have violated the terms of supervised release by failing to report for a random urinalysis on July 25, 2024.

On February 8, 2024, Mr. Hill was advised he would be placed on the phase urinalysis testing program at Pioneer Human Services (PHS). Mr. Hill was further advised he would be assigned the urinalysis testing color gold. He was directed to call the testing line every day, and was to report to PHS on the days that gold was called, in order to submit to urinalysis testing. Mr. Hill acknowledged an understanding of this process.

On July 25, 2024, without being excused and/or contacting the undersigned in any manner, Mr. Hill failed to report to PHS to submit to urinalysis testing, as his assigned color was scheduled for testing on that date

- 13 **Special Condition #17:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. Hill is alleged to have violated the terms of supervised release by using a controlled substance, methamphetamine, on or about July 28, 2024.

On August 2, 2024, the undersigned was able to speak with Mr. Hill via telephone. Mr. Hill informed the undersigned that due to recent relapses, his treatment regimen was increased to intensive outpatient treatment which is set to commence on August 6, 2024. Mr. Hill also informed the undersigned that he last used methamphetamine on or about July 28, 2024.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 08/05/2024

s/Jonathan C. Bot

Jonathan C. Bot
U.S. Probation Officer

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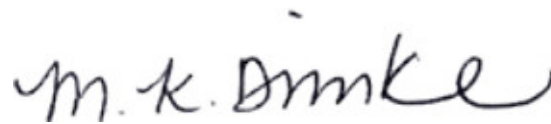

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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☒ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☐ Other

Signature of Judicial Officer

8/5/2024

Date